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Marginal behaviour as a factor of the commission of an offence

МАРГІНАЛЬНА ПОВЕДІНКА ЯК ФАКТОР ВЧИНЕННЯ ПРАВОПОРУШЕННЯ

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Abstract

The purpose of the study is to analyse the marginal behaviour and to determine the dominant factors of marginalization, their impact on the illegal behaviour and the crime rate.

The methodological basis of the article is a system of philosophical, general and special scientific principles and methods, in particular: dialectical method is used to form and develop ideas about the essence of deviant, marginal and unlawful behaviour, the crisis is considered as a consequence of problems in social existence, as well as its main cause; historical method – to develop ideas about marginal behaviour, marginality and its impact on unlawful behaviour in the scientific literature; formal-logical method – to define the essence of the terms “marginal behavior”, “marginal”, “marginality”, “society”, “crisis”, “deformation”, etc.; structurally functional method – to determine the factors that influence the marginalization of society and stimulate unlawful behaviour; legalistic method – to characterize such concepts as: “offense”, “crime”, “crime rate”, “legal consciousness”; comparative legal method – to determine the manifestation of marginalization during a crisis and to compare it with the manifestation of deviant behaviour.

The findings of the study make it possible to predict further directions of preventing the

Анотація

Метою дослідження є аналіз маргінальної поведінки, визначення домінуючих факторів маргіналізації, їх впливу на протиправну поведінку та рівень злочинності.

Методологічною основою статті є система філософсько-світоглядних, загальнонаукових та спеціально-наукових методів, зокрема: діалектичний метод використано для становлення та розвитку уявлень про сутність девіантної, маргінальної та протиправної поведінки, розглянуто кризу як наслідок проблем у суспільному бутті, а також їх основна причина; історичний метод – для розвитку у науковій літературі уявлень про маргінальну поведінку, маргінальність та її вплив на протиправну поведінку; формально-логічний метод – для визначення сутності термінів «маргінальна поведінка», «маргінал», «маргінальність», «суспільство», «криза», «деформація» тощо; структурно-функціональний метод – для визначення факторів, що впливають на маргіналізацію суспільства і стимулюють протиправну поведінку; формально-юридичний метод – для характеристики таких понять як: «правопорушення», «злочин», «злочинність», «правова свідомість»; порівняльно-правовий метод – для визначення прояву маргіналізації

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marginalization of society and marginal behaviour. Marginal behaviour is a type of behavior, based on personal selfish calculations of the bearer of deformed legal consciousness, fear of punishment, condemnation and desire to escape responsibility. The following factors contribute to the marginalization of society: transformation processes in society, social crisis, imperfect legislation, deformation of legal consciousness, violation of human and citizen's rights and freedoms and inability to realize their legitimate interests legally. The likelihood of marginal behavior depends substantially on one's personal qualities. Marginal lifestyles usually predate the commission of a crime, and marginals often become criminals. The consequences of marginal behaviour can be offences, increased crime rates and the criminalization of society.

Keywords: deformation of the legal consciousness, criminality, marginal behavior, offense, society.

Introduction

The rhythm of social change has steadily increased in today's world. Globalization processes lead to fundamental transformations in every community. The rights and freedoms of a person whose behaviour is influenced by many factors are filled with new content. Globalization transformations have led to increasing interdependence among the world's leading countries, exacerbating contradictions between them, establishing a new balance of power on the continents, enriching some countries and accumulating social problems in others, increasing the flow of migrants to developed countries, and the corresponding increase in the number of people who have lost their social status, have to adapt to changes and re-find their place in society. In addition, there is a deformation of the legal consciousness and a special type of personality with a crisis or catastrophic consciousness is formed. New marginal layers have emerged that are prone to deviant behaviour and are a threat to public safety. The purpose of the study is to analyse the marginal behaviour and to determine the dominant factors of marginalization, their impact on the illegal behaviour and the crime rate.

під час кризи та проведення порівняння з проявом девіантної поведінки.

Висновки дослідження дають можливість прогнозувати подальші напрями попередження маргіналізації суспільства та маргінальної поведінки. Маргінальна поведінка – це тип поведінки, що засновується на особистих егоїстичних розрахунках носія деформованої правосвідомості, страху перед покаранням, осудом, прагненням уникнути відповідальності. Маргіналізації суспільства сприяють: трансформаційні процеси у суспільстві, суспільна криза, недосконале законодавство, деформація правосвідомості, порушення прав і свобод людини і громадянина, неможливість законним шляхом реалізувати свої законні інтереси. Ймовірність маргінальної поведінки суттєво залежить від особистих якостей людини. Маргінальний спосіб життя зазвичай передуює вчиненню злочину, а маргінали нерідко стають злочинцями. Наслідком маргінальної поведінки може бути правопорушення, підвищення рівня злочинності та криміналізація суспільства.

Ключові слова: деформація правової свідомості, злочинність, маргінальна поведінка, правопорушення, суспільство.

Methodology

The choice of research methods is predetermined by the goal set by the authors. The methodological basis of the article is a system of philosophical, general and special scientific principles and methods, in particular: dialectical method is used to form and develop ideas about the essence of deviant, marginal and unlawful behaviour, the crisis is considered as a consequence of problems in social existence, as well as its main cause; historical method – to develop ideas about marginal behaviour, marginality and its impact on unlawful behaviour in the scientific literature; formal-logical method – to define the essence of the terms “marginal behavior”, “marginal”, “marginality”, “society”, “crisis”, “deformation”, etc.; structurally functional method – to determine the factors that influence the marginalization of society and stimulate unlawful behaviour; legalistic method – to characterize such concepts as: “offense”, “crime”, “crime rate”, “legal consciousness”; comparative legal method – to determine the manifestation of marginalization during a crisis and to compare it with the manifestation of deviant behaviour.

Literature review

Marginal behaviour was investigated by representatives of various sciences: philosophers, sociologists, psychologists, lawyers, political scientists, cultural scientists, anthropologists, etc. Thus, Georg Simmel, a German philosopher and sociologist, one of the main representatives of the "philosophy of life", popular irrational direction of European philosophy at the turn of the 19th-20th century, was one of the first to address the problem of marginality. He described the phenomenon of marginal, based on the social type of "stranger". The scientist regarded this type as a person who combines closeness to and distance from the group. The stranger exists in the group, but he is not a member of this group, does not share its history and tradition, and distinguishes himself from other members of the group. His behaviour is a source of conflict (Simmel, 2008).

The term "marginal" was firstly introduced by American sociologist Robert Park in 1928, when he investigated the situation of migrants who failed to change their lifestyle completely and adapt to the new environment. Such persons occupied an intermediate position and were a certain boundary between social groups, despite the desire to unite with one of them. According to R. Park, marginal is a person who carries a cultural conflict of clash between different groups, cultures and civilizations (Park, 1928).

In the 1930s, American culturologist E. Stonquist justified the concept of a "marginal personality". His focus is "cultural hybrid," which exists in a marginal situation inevitably, i.e. "at the margin" of both the dominant group and the group he comes from that treated him as an apostate. According to E. Stonquist, there are the following common features of "marginal personality": isolation, anxiety, inner tension, frustration, despair, disorganization, destruction of social ties, egocentricity, increased sensitivity and self-awareness, keen sense of the racial identity, disease state, inferiority complex, etc. Such a person is characterized by various forms of mental disorder and deviant behaviour (Onzimba Lenyungo, 2003).

Further studies of marginal behaviour were continued by M. Wood, V. Manchini, J. Levy-Strange, T. Witterman, T. Shibutani, A. Antonyan, V. Kudryavtsev, S. Kozhevnikov, L. Kemalova, Yu. Parunova, and others. All of them considered marginalization as a product of social mobility and emphasized on the problematic situation of a person, excluded from social

relations. The fact that marginal behaviour destabilizes social relations and therefore leads to conflicts and offenses remains unaddressed. The task of the authors of this article is to focus on those factors of marginal behaviour that have criminal potential.

Results and Discussion

A marginal (Latin *margo* – edge, border) – is a person whose world view and way of life do not correspond to traditional and standard in a certain society. Marginal behaviour is an act reflecting the socio-psychological characteristics of the marginal. The term marginalization means the process of displacing individuals or social groups outside the existing social structure or culture as a result of social or other transformations. The crisis state of society is a favorable condition for this process.

The marginality is usually considered as a condition of insecurity, uncertainty of the person in the world, his dissatisfaction with the situation. The term "marginality" also refers to the specific attitude of an individual or social group to the existing social order and certain social communities (Kemalova, Parunova, 2010). Marginality can be both social and cultural. Social marginalization can lead to cultural one and vice versa. Marginalization is a special form of social life of the individual (social group). It negatively affects the structure of society and leads to deformation of social guidelines, values and legal awareness, destruction of interpersonal ties and traditions, alienation from the economic, legal and political processes taking place in society and formation of a specific marginalized personality. As a result, the person ceases to be an active, full-fledged member of society and loses a positive connection with it. «The deformation ... of legal consciousness is an urgent problem of building a legal and social state» (Grammatikov, 2020).

A marginal situation is a marginal, intermediate and transitional situation to an individual or group in relation to any social community. Two (or more) cultures can unite or conflict (e.g., a traditional culture of a certain community and a criminal subculture) in a marginal situation. The key players of a marginal situation can be not only traditional carriers of marginality (drug addicts, alcoholics, madmen, vagrants, asocial individuals, convicts existed in penal institutions, who violate the regime of execution and serving their sentences and are prone to committing crimes), but also conformists. Even a law-abiding citizen (or group of people) whose legal

culture is at a high level can get into a marginal situation. The marginal situation is always tense, it is implemented extremely ambiguous in practice, because it can give impetus to intellectual and artistic creativity and renewal of the spiritual history of mankind, or lead to unlawful behaviour. We will focus on destructive nature taking into account the topic of the article. A person found himself in a marginal situation, is separated from the usual social environment, and is faced with the need to make a choice about the scenario of his further stay in the society. There are two variants for the behaviour of a person who has fallen into a marginal situation: active and passive. In the first case, a person resists, tries to change or leave the situation without violating the law and generally accepted rules of conduct. In the second case, he does not take any measures to get out of this situation, integrates into it, accepts the situation and even goes off the deep end, for example, commits a crime. Marginals often become victims of various crimes or become criminals themselves. It has been recently proposed to consider legal marginality, a defining feature of which is the deformation of justice, in addition to social and cultural marginality. Legal marginalization is identified as legal uncertainty based on the negative attitude of the individual to the current law and legal phenomena in the life of society. Accordingly, a person who is involved in the conflict of values of different systems of social regulation can be considered as a marginal. The cause of legal marginality is the diminishing role of legal prescriptions, based on a change in personality values. The conditions that form the cause of legal marginalization are the negative states of environmental reality (violation of citizens' rights and freedoms, stratification of society, etc.). This is also the basis of both cultural and social marginality (Nechaeva, 2006). The cultural and social marginality is similarly the basis for legal marginality.

The behaviour of a person is determined by many factors. Among them: Marginal status, marginal environment, marginal situation, etc. A huge influence on human behaviour has such a manifestation of social pathology as an anomie. The anomie is a violation of the value and normative system of society, manifested in the low degree of influence of social norms on the behaviour of the individual, the exclusion from the sphere of regulatory regulation of certain spheres of social life, the types of social relations and behaviour of people, the lack of necessary legal norms or the fact that a large part of the population does not consider observance of current norms as their duty (Tymoshenko, 2016).

A marginal personality expresses his/her attitude to the social norm through a deviant or anomic behavioural strategy. However, the deviant differs from the marginal in its affiliation with a certain social structure. Not every deviant is a marginal personality. Understanding of the essence of marginalism as a two-pronged phenomenon (social status and behavioural type), makes it possible to distinguish between deviancy (as a wider social entity) and marginality that is a socio-cultural variety of deviancy (Logacheva, 2002).

The factor of exclusion plays a decisive role for marginal behaviour, due to which a person opposes himself to others, isolates from them, ceases to be a contributing member of society, does not participate in political, economic and legal processes, rejects generally accepted values, and does not consider it necessary to observe generally accepted rules and norms. Apathy, disappointment and frustration towards society are supplemented by low self-esteem, a sense of inferiority, heightened emotionality, impressiveness and anxiety. As a result, there is a fear of being offended, insulted, forgotten and neglected that is confirmed in practice, especially in marginalized society. The marginal often considers suicide or aggression against others as the only way out of this situation (Tymoshenko, 2015). The marginal person can show aggressive behaviour not only openly, but also covertly, direct his aggression to such persons and objects that are not related to his state of frustration at all and take anger out on persons, who are not involved in his problems. The behavior of the aggressor can be influenced by the behaviour and intentions of the potential object of aggression, a victim who, for example, is under the influence of alcohol or drugs. The individual-psychological features of the aggressor himself, namely his irritability, suspicion, confidence in permissiveness and impunity are even more important (Zmanovskaya, 2006).

Marginalization is a manifestation of the crisis state of society. The main cause of marginalization is the crisis. Transformational processes that lead to negative phenomena in the spheres of economy, politics, spiritual life, war, corruption, the collapse of the social protection system of the population, a sharp decrease in the standard of living of citizens and poverty contribute to the emergence of a normative vacuum that absorbs legal, moral and other regulatory foundations of social existence, individual and mass consciousness. The crisis of public consciousness can be considered not only as a consequence of problems in public life, but

as their main cause (Arutiunian, 2013). There are the following crisis signs: the breakdown of any links between society and person; instability; change in basic social values up to their loss; prevalence of material interests over spiritual interests; extreme individualism and intolerance; injustice; promotion of arbitrary means of meeting basic needs, etc. All these factors lead to the break of the common spiritual space, loss of socio-cultural identity, marginalization of society and marginal behaviour.

Marginal status is potentially a source of neurotic symptoms, severe depressions, and demoralization, individual and group forms of protest. The inner devastation, caused by the breakdown of value-normative, spiritual ties with society, condemns a person to apathy and inaction and encourages him to take an asocial action and deviant behaviour (Gilinskiy, 2002). For example, nowadays a special type of person with crisis or catastrophic consciousness has already been formed in Ukraine against the background of violation of the principle of equality, sharp social distinction, inflation, poverty, corruption, manipulation of public consciousness. Focusing on one's own problems, indifference to the problems of society, disappointment, or even despair are the realities of today. The majority of the population is protected from the "uncomfortable" social reality by a rigid psychological barrier and completely immersed in privacy. Psychologists have proven that a marginal person is characterized by the need of protection from peace and negativity, and by constant support and confirmation. The bearer of catastrophic consciousness for the purpose of complacency searches for any negative information about the enemy external world for him. Positive information is simply denied and perceived as erroneous and absurd one. The modern person, as well as the society in general, is characterized by increased suggestibility, accessibility for manipulation from the outside and aggression towards the outside world and himself (Tymoshenko, 2017).

Marginal behaviour can spread even with relative political stability. The lack of sound social policies of the state, the already mentioned injustice in the distribution of material goods, the inability to realize the legitimate interests, violations of human rights, the indifference of society to the problems of an individual, the expansion of cultural ties between peoples, the availability of various information through the Internet and much more can negatively affect the legal consciousness and lead to the phenomenon of a marginal person. It should be mentioned that

the consciousness of modern man is influenced by the contradictory elements of different cultures, processes of their transformation that leads to a sense of ambiguity of their culture and a lack of social and ethnic identity. The misunderstanding by society, humiliation and persecution affects the behaviour of the individual in a particular situation, even his whole way of life and contributes to the demonstration of marginal behaviour.

The objective reasons for marginalization are complemented by subjective ones, because the psychophysical characteristics of an individual can play a crucial role in determining his behaviour. The specific prerequisites for aggression and marginal behaviour are frustration, stress, psychological or physical discomfort, fear, pain, verbal and physical assault, offense, excessive emotions, etc. (Kargina, Polyanskaya, Smirnova, 2019). Self-esteem, envy, self-assertion, unwarranted ambitions and other factors often encourage the marginal not only to engage in legitimate marginal behaviour, but also in unlawful aggressive actions, violence by which the person tries to get what he wants. The manifestations of the biologically impulse to protective aggression are based on a deep personality structure and are related to social factors. All the above-mentioned factors apply to the emergence and manifestation of aggression related to the desire for justice, self-assertion, enrichment, the desire to subjugate someone or to protect.

An essential factor in marginal behaviour is the already mentioned envy. It is a feeling of experiencing dislike for another person, his happiness, well-being, success, appearance, material goods or some other benefits. The recognition of the advantage is combined with a sense of shame and hostility to the object of envy. Envious people, for whom another person's success is their own failure, can be extremely aggressive. (However, if success is unwarranted and a person's achievements are not related to his work, but to the fact that everything is bought and sold in a corrupt society, here it is necessary to talk not about envy, but about a sense of justice and the desire to restore it). The fact that envy can lead to real acts of aggression depends on a number of circumstances, including the situation. For example, envious people try to discredit the person, his abilities and personality in general under favourable conditions. In addition, they usually resort to psychological aggression: threats, insults and humiliation, injustice, underestimation of the individual and his achievements, various forms of discrimination.

slanders, attribution of negative labels, marginal behaviour and so on.

An interesting opinion about nature to marginalism was expressed by the Russian scientist-criminologist S. Kirillov. According to him, historical background of social and genetic lumpenisation and the low intelligence, that is transmitted from generation to generation, lie in the basis of marginalization. It is the basis of laziness, envy, resentment, individualism, selfishness and alienation from the interests of society. Impossibility of intellectual development is connected with complexes and ways of their deprivation. Hence, there is a subconscious desire to commit criminal offences, which are the main way to get rid of complexes and the method of compensation for inferiority. It should be noted that crimes are committed by only by marginal persons. However, 80% of all criminal offenses are committed by such persons, whose characteristic features correspond to marginal (Kirillov, 2014).

Globalization is a particular factor in marginalization that contributes to the migration of people from developing countries to developed ones. Migration can be caused by various reasons of a political, social and economic nature. People most often migrate in search of work, shelter and security. For example, in 2019, the number of Ukrainian migrant workers in Poland was nearly 1 million. Migration always leads to a particular marginalized situation for migrants, which is caused both by a change in their social status and by the need to adapt to a new environment and new living conditions after changing their place of residence. Migrants, regardless of their ethnicity, are always less adapted to their living conditions than local residents in the first stages of their stay in another country. Language barriers, vocational difficulties, lack of housing, cultural differences and other problems are a key condition for deviant behaviour (Gilinsky, 2008). At the same time, people find themselves on the verge of different social systems, ideologies and religions, which are unusual for them. Migrants often become social outcasts in society. Migration is very often accompanied by the formation of ethnic criminal groups in relatively prosperous (in economic terms) regions. The most difficult is the situation of those migrants who are far from the titular nation in terms of language and genotype. The difference in appearance led such migrants to dissociate themselves clearly from the indigenous population and to establish diasporas with their nationality. There is a difficult

situation with ethnically mixed families, which has the problem of understanding and adhering to the specific traditions of different ethnic groups, combating attempts to degrade dignity and national identity not only at the level of society and the state, but also at the family level.

Westernization is also contributes to the spread of marginal behaviour i.e. the borrowing of Western European and Anglo-American lifestyles by countries for which such lifestyles are not habitual, is contrary to the mentality of the population. The unjustified transformation of ethnic culture can lead to denial, outrage, frustration, alienation of citizens, immersion in their own problems, mistrust of power and rapid marginalization.

The nature of the modern city, with its diversity of cultures, the weakening of traditional social institutions and the exacerbation of the problem of human identification also encourages marginal behaviour (Shakun, 1996). The city always provokes depression. Large cities are characterized by increased mobility of the population and concentration of a large number of people in a limited territory. It is difficult to establish permanent contacts between people in large cities, accordingly social and psychological distance increase. These facts lead to conflicts of an objective and subjective nature and often causes marginal behaviour and violent crimes without clear motivation, because it is psychologically easier to use violence against a stranger than against relatives or acquaintances. There are the most pronounced disparities in the level of satisfaction of the needs of different segments of the population, which undoubtedly affects the level of crime, due to a number of socio-economic and demographic reasons in the large cities.

The specific legal factors that affect the marginalization of society and stimulate marginal behaviour are imperfect legislation, gaps in law, the high level of criminalization of society and the distortion of legal awareness. Marginal conduct is known to be a balancing act between legitimate and unlawful. It covers both legitimate but close to illegal and unlawful behaviour. A marginal person is able to commit both a lawful act and an offense with equal opportunity. Marginal lifestyles usually precede crime, and marginals often become criminals.

The defining feature of a marginal personality is legal nihilism. "Its essence lies in the general negative and disrespectful attitude to the law, normative order and the reasons of nihilism,

namely, legal ignorance, backwardness and legal indifference of the majority of the population” (Matuzov, 2012). Moreover, legal nihilism can be provoked by law. For example, these factors include the adoption of unlawful regulations, imperfect and ineffective laws that are unable to protect the interests of citizens, or even knowingly violate their rights. Deliberate violation of existing legal acts and mass non-compliance with legal regulations can be considered as a typical form of manifestation of legal nihilism of marginal groups. The lack of norms, along with other factors, leads to the total criminalization of social relations. The criminalization of social relations, as a result of the evolution of crime, the lack of effective prevention of it, the marginalization of society and the creation of conditions in which the services of crime are more acceptable to society than the services that the state can provide, contributes to the further dangerous evolution of crime. At the same time, the criminal sphere, formed as a reflection of society, deepens the problems of this society (Tymoshenko, 2019).

The marginal behaviour of even a law-abiding person with a high level of legal culture and consciousness can be stimulated by the criminal situation as a set of negative political, social, economic, psychological and other factors that create the situational conditions for the commission of a crime. A criminogenic situation is an objective category because it is determined by real events, phenomena and states in which the person exists or is affected by it. However, the criminogenic situation has always of a personal nature, assessed by the individual, compared with the motives of the person, which also determines its subjective nature. The criminogenicity of the individual as a specific qualitative feature of his mental states, which determines the presence of potential subjective tendency of the individual to perceive the antisocial orientation of criminogenic factors and to enforce them under certain conditions, has a significant influence on the level of criminality of the situation. A person's perception of this influence as a guide to action (or inaction) depends on the existence of an internal prerequisite of antisocial criminal behaviour (Shakun, 2019). This perception is determined by the moral-psychological and biological properties of the person that influence the choice of lawful or unlawful behaviour under specific conditions. None of the criminal situation determines the unconditional commission of a crime by the person who has committed it.

It is necessary to reduce the marginalization of society, to block and eliminate its causes and to change the conditions of human existence in order to prevent marginal behaviour. This cannot be done without the implementation of a set of interrelated socio-economic, political and legal measures. First of all, it is necessary to adjust the state economic policy, which should be aimed at stimulating economic growth, support of social programs, values and priorities, assistance to the indigent segments of the population, restoration of social justice. The state should work to improve legislation, eliminate the shortcomings of legal acts that violate the rights and legitimate interests of citizens.

The state should make every effort to prevent crime. It is not only about identifying and neutralizing the phenomena and processes that cause the committing and spreading of certain forms and types of crimes, but also about taking into account the factors that influence the formation of antisocial features in certain categories of persons, including psychological factors that determine different variants of human behaviour in each case. It is also necessary to carry out social and educational work with prisoners serving their sentences in penitentiary institutions. The purpose of such measures is to correct, to re-socialize and to form convicts' respect for laws and other rules of behaviour adopted in society. This purpose is served by the institution of probation that forms a fundamentally new system of socially educational work with criminals who are not sentenced to imprisonment and provides a wider application of measures of social rehabilitation and socio-corrective nature.

The state should take measures to reduce the damage caused by corruption (because it cannot be completely overcome). The first priority should be given to legal measures. It is necessary to constantly amend the legislation, removing from it everything that can contribute to corruption. Economic measures are noteworthy. They include the development of legitimate, transparent and public mechanisms for identifying officials who have illegally acquired property. The replacement of modern democracy with another, in which the opinion of voters should determine the behaviour of deputies, is among the main political measures. The independence of the media, courts and law enforcement agencies should be ensured. The administrative measures include the elimination of any privileges. Finally, measures in the moral and ethical sphere should be noted. They include the formation of an elite that is able to analyze,

generalize, see the flow of events as a system, not chaos and a set of accidents, understand similarities and relationships, think independently and draw conclusions (Popov, 2010).

Moreover, the more the state withdraws from the performance of its functions, the more favourable are the conditions for the marginalization of society. Therefore, the inactivity of the state is the main determinant of crime and marginal behaviour.

Conclusions

Thus, marginal phenomena are based on the processes of disorganization, destruction, breakdown of social ties that accompany any structural transformation.

Marginal is a personal characteristic that shows alienation, isolation, insecurity, uncertainty in society and deviation from the normal pattern.

Marginal behaviour can be considered as a type of behaviour based on the personal selfish calculations of the bearer of a deformed consciousness, fear of punishment, condemnation and desire to avoid responsibility. There are the following objective factors contributing to the marginalization of society: transformation processes in society, social crisis, the design of the models of democracy tested in other countries for a given society without taking into account national peculiarities, struggle for power and redistribution of property, bureaucratization of the administrative apparatus, any conflicts in the society, changing the system of values of the population and so on. The crisis of social consciousness can be identified not only as a consequence of problems in public life, but as their root cause.

The imperfect legislation, gaps in law, high levels of criminalization of society, deformation of justice, violation of human and citizen's rights and freedoms and inability to legally exercise the legitimate interests are specific legal factors that influence the marginalization of society.

Marginal behaviour depends substantially on one's personal qualities. It can be argued that fears and neuroses, mental disorders and antisocial tendencies can make a person marginalized. The presence of a large number of such individuals in the society demonstrates the marginalization of society.

The conflicting potential of marginalization has a devastating impact on both society and the marginal itself.

The marginalization of society is a dangerous process that creates a wide range of global threats, including stimulating unlawful behaviour. Marginal lifestyles usually predate the commission of a crime, and marginals often become criminals. The consequences of marginal behaviour can be offences, increased crime rates and the criminalization of society. This is a significant criminogenic factor.

Marginalization of society should be overcome primarily in the economic way: by raising the standard of living of the people, reducing poverty, unemployment and stratifying the society into the superrich and the needy and the poor.

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